

AMENDMENT UNDER 37 C.F.R. § 1.111  
Application Number: 10/028,914  
Attorney Docket Number: Q67950

### **REMARKS**

In response to the Examiner's Answer dated May 2, 2006, Applicants request that prosecution be reopened submit the following in response to the new ground of rejection raised in the Examiner's Answer.

In the Examiner's Answer, the rejection under 35 U.S.C. § 112, 2<sup>nd</sup> paragraph, in section 5 of the Final Office Action dated August 18, 2005 was withdrawn; the rejection of claims 17 and 18 under 35 U.S.C. § 103(a) over Bezwada et al in view of Webster was maintained; and a new ground of rejection of claims 17 and 18 under 35 U.S.C. § 102(b) as allegedly being anticipated by or, in the alternative, under 35 U.S.C. § 103(a) as allegedly being obvious over Webster '426 was included.

In response to the Examiner's Answer, claim 17 has been amended as supported in the specification, such as on pages 5 and 13 to 14 and Applicants submit the following.

#### **I. Response Rejection based on U.S. Patent No. 4,541,426 to Webster ("Webster '426")**

Claims 17 and 18 have been rejected under 35 U.S.C. § 102(b) as allegedly being anticipated by and in the alternative under 35 U.S.C. § 103 as allegedly being unpatentable over U.S. Patent No. 4,541,426 to Webster ("Webster '426").

Claim 17 is amended herein to recite that the single layer substrate film for the adhesive sheet consists essentially of polyether and polyvinyl pyrrolidine and the weight proportion of polyurethane pyrrolidine to polyether polyurethane. The single layer substrate film of claim 17 has the property of "a tensile modulus of elasticity in a saturated water absorption state lower as

compared to the tensile modulus of elasticity in a dry state and a ratio of tensile modulus of elasticity when it absorbs water to when it is dry of 50% or less, a tensile modulus of elasticity when it absorbs water of 0.1 to 12 MPa, and a tensile modulus of elasticity when it is dry of 12 MPa to 150 MPa” due to its constitution of polyether polyurethane and polyvinyl pyrrolidone and its weight proportion. Also, when the adhesive sheet is adhered to the skin, the tensile modulus of elasticity of the substrate film decreases, which improves the flexibility and skin follow-up property of the adhesive sheet due to the recited properties.

Applicants respectfully submit that Webster ‘426 fails to describe, teach, or suggest the adhesive sheet recited in claim 17 as amended.

Webster ‘426 discloses that its dressing may contain blends of hydrophilic polymers. *See*, col. 2, line 49 to col. 3, line 5. Webster ‘426 generically discloses several suitable blends, including polyurethane with polyvinyl pyrrolidone. *Id.* However, Webster ‘426 fails to describe a blend of a polyether polyurethane with polyvinyl pyrrolidone and Webster ‘426 also fails to disclose the recited weight proportion thereof. As such, Webster ‘426 fails to describe a single layer substrate film wherein the weight proportion of polyvinyl pyrrolidone to polyether polyurethane is 2:98 to 40:60 and does not anticipate the presently claimed invention for at least this reason.

Additionally, there is no teaching or suggestion to serve as motivation for one of ordinary skill in the art to modify the disclosure of Webster ‘426 with a reasonable expectation of success in achieving the presently claimed invention. Webster ‘426 is silent as to the recited weight proportion of polyvinyl pyrrolidone to polyether polyurethane of 2:98 to 40:60 and does not

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recognize the advantageous effects of this element of the invention. Thus, the presently claimed invention is not rendered obvious.

Accordingly, Applicants respectfully request withdrawal of the rejection under 35 U.S.C. § 102 or in the alternative under 35 U.S.C. § 103 over Webster '426.

**II. Response to Rejection over U.S. Patent No. 5,607,687 to Bezwada, *et al.* ("Bezwada '687") in view of Webster '426**

Claims 17 and 18 are rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Bezwada et al in view of Webster.

Applicants respectfully submit that Bezwada '687 in view of Webster '426 fails to teach or suggest the single layer substrate film recited in claim 17 as amended as discussed above.

Bezwada '687 teaches polymer blends comprising aliphatic polyoxaesters and a second polymer selected from several polymers which may include polyether urethanes and polyvinyl pyrrolidine. *See*, column 2, line 60 to column 3, line 2. However, Bezwada does not specifically teach a polymer blend of a polyether polyurethane and polyvinyl pyrrolidine as recited in the present claims, much less the presently recited weight of polyvinyl pyrrolidone to polyether polyurethane of 2:98 to 40:60. Webster '426 fails to make up for this deficiency for the reasons described above.

Accordingly, Applicants respectfully request withdrawal of the §103 rejection.

**III. Conclusion**

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the

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Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,

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